

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Senior Deputy Clerk.

**F043667 Marcelina H. v. The Superior Court of Kern County; Kern County
Department of Human Services**

Cause called and argued by Marcelina H., appellant in propria persona. Tom Clow, Esq., Deputy County Counsel, counsel for real party waived oral argument.

Cause ordered submitted.

Court recessed until Friday, October 24, 2003 at 9:00 A.M.

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F040993 People v. Rodriguez

Defendant's second degree burglary conviction is reversed with retrial prohibited. We reduce the conviction to a misdemeanor violation of Penal Code section 587b. The case is remanded to the trial court for resentencing. Vartabedian, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039096 People v. Taylor et al.

The abstract of judgment for defendant Taylor and the abstract of judgment for defendant Richardson are ordered corrected to delete the imposition of the \$200 restitution fine imposed pursuant to Penal Code section 1202.45. The trial court is further ordered to forward the corrected abstracts to the appropriate authorities. In all other respects the judgment is affirmed. Vartabedian, J.

We concur: Dibiaso, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040254 People v. Martin

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F040867 Giangrasso v. Tenet Healthsystem Hospitals, Inc.

We affirm the judgment. Costs on appeal are awarded to respondent. Gomes, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042024 People v. Alvarez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F042024

People v. Alvarez

The judgment is affirmed.

By the Court.

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